

Vinson&Elkins

Hilary L. Preston hpreston@velaw.com  
Tel +1.212.237.0129 Fax +1.917.849.5342

September 14, 2021

**Via ECF**

Hon. Judge John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1320  
New York, NY 10007

SO ORDERED.  
Date: September 17, 2021  
New York, New York

Defendant shall answer, or otherwise respond to, the Complaint by November 4, 2021. Defendant's request to adjourn the October 27, 2021, initial pretrial conference is denied. Defendant shall appear for the initial pretrial conference scheduled for October 27, 2021 at 4:00 p.m.



JOHN P. CRONAN  
United States District Judge

Re: *Diatek Licensing LLC v. NFL Enterprises LLC*, Case No. 1:21-cv-07241-JPC

Dear Judge Cronan:

We represent Defendant NFL Enterprises LLC ("Defendant") in the above-referenced action, which was filed with this Court on August 27, 2021. This letter request is being submitted pursuant to Section 1.A and 3.B of Your Honor's Individual Practices in Civil Cases.

Defendant seeks a forty-five day extension of time to answer or move with respect to the complaint in this action. The original response date is September 20, 2021. Forty-five days from September 20, 2021 is November 4, 2021. Therefore, defendant respectfully requests a new response date of November 4, 2021. The extension is requested to allow counsel time to investigate the claims made within the filed complaint. This is Defendant's first request for an extension. Plaintiff's counsel does not oppose the requested forty-five day extension.

The Court has scheduled a Rule 16 Initial Pre-Trial Conference ("IPTC") for this case on October 27, 2021, which Defendant respectfully requests be postponed until after the extended response date. While there is no Case Management Plan and Scheduling Order in this case, to comply with Section 3.B of Your Honor's Individual Practices in Civil Cases, Defendant respectfully requests that the IPTC be rescheduled for the week of December 5, 2021 or following, subject to the Court's availability.

We thank the Court for its courtesy and consideration in connection with this request.

Respectfully submitted,

/s/Hilary Preston

Hilary Preston

cc: Cortney S. Alexander, Esq. (via ECF)